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OHIO
CINCINNATI
WESTERN DIVISION

IN THE UNITED STATES DISTRICT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT CINCINNATI

JOHN R. WALKER

Petitioner,

v.

JEFFREY A. WOLFE, Warden

Respondent.

: Case No.: C1-01-848
 : Administratively Stayed and
 : Terminated from active docket.
 : Related Case No.: 03-1100,
 : Ohio Supreme Court Appeal
 : Dismissed September 24, 2003;
 : Related Case No.: C-030278,
 : 1st District Court of Appeals,
 : Dismissed June 9, 2003.
 :
 : JUDGE HERMAN J. WEBER
 : MAG. JUDGE JACK SHERMAN

PETITIONER JOHN R. WALKER'S MOTION FOR APPOINTMENT OF COUNSEL

DECLARATION IN SUPPORT FOR ABOVE MOTION FOLLOWING

Comes now Petitioner, John R. Walker, who hereby moves this honorable Court to appoint counsel to represent him in the aforementioned cause-28 USC S 2254-pursuant to 18 USC S 3006A for the following reasons:

- 1.) The Petitioner is unable to afford counsel;
- 2.) The issues involved in the case are complex;
- 3.) The Petitioner has had and continues to have no or very limited access to the statutes in question;
- 4.) The Petitioner has a very limited knowledge of the law;
- 5.) The Petitioner has numerous unresolved mental and physical impairments, which preclude him from effectively representing his "genuine issues;" therefore "the interests of justice so require" this.

Respectfully submitted,

Executed on October 20, 2003

By: John R. Walker
 John R. Walker/Petitioner-*pro se*
 1416 Armfield Road
 Apartment "H"
 Richmond, VA 23225-7542

I, John R. Walker, the Petitioner in the aforementioned action, declare as follows:

- 1.) I am the Petitioner herein, and I make this declaration in support of my motion for the appointment of counsel to zealously represent my “genuine issues.”
- 2.) This cause is of great public interest and importance because it affects not only the Petitioner, but also others similarly situated, by the egregious, capricious, and unbridled discretion of the Ohio Adult Parole Authority under the unconstitutional strictures of Ohio Revised Code 2967.28, 2921.34, et seq. of Senate Bill 2; Title 29 Ohio Criminal Code and its numerous revisions.
- 3.) The Petitioner has been retaliated against and “toyed” with for using the administrative grievance procedures and exercising his right of access to the courts by the ODRC and the OAPA; therefore, he seeks redress and protection from their unfettered power.
- 4.) The Petitioner is not now, nor has he ever been, a resident of Ohio; therefore, he has zero resources there and very limited resources in general.
- 5.) This convoluted case involves complex issues of statutory and Constitutional law and the Petitioner’s criminal and civil rights.
- 6.) The Petitioner has never had access to Senate Bill 2, 146 v S 2 (Eff 7-1-96); 146 v S 269 (Eff 7-1-96); 147 v S 111 (Eff 3-17-98); in general and RC 2967.28, 2967.131, 2921.34, et seq. in particular, as applies to Petitioner’s date of conviction.
- 7.) While originally filing this petition for writ of habeas corpus, Walker had no access to pertinent texts in the institution’s law library, especially *post-AEDPA* self help guides. For example, see **Ex. 12** from “Petitioner’s Reply in Opposition to Respondent’s Motion to Dismiss ...” **Doc. 10**, Ex.3, April 23, 2002.

(Cont’d.)

8.) The Petitioner was twice denied counsel to prosecute his delayed appeals in opposition to state and federal precedents.

9.) There is a blatantly clear and imminent threat that Petitioner Walker will be arrested and shuttled from jail to jail because he will not surrender his numerous rights and in retaliation for his recent appeals; therefore, he may be unable to access the courts and receive his mail in a timely manner.

10.) On October 8th and 9th of 2003, Walker was deemed to have been suffering from undiagnosed MANIC DEPRESSIVE/BIPOLAR DISORDER since childhood by a mental health therapist, a psychiatry nurse practitioner, and a psychiatrist, Dr. Lakhani, from the Virginia Commonwealth University/Medical College of Virginia, Health System. (Ex. 14).

I declare under the penalty of perjury that the foregoing is true and accurate to the best of my belief, knowledge, and memory and that this declaration was executed on October ____, 2003.

By: 
John R. Walker/Petitioner-*pro se*

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing motion was sent to the Respondent's Counsel of Record, Diane Mallory, Assistant Attorney General, Corrections Litigation Section, 150 East Gay St., 16th Floor, Columbus, Ohio, 43215-6001 via 1st class US mail on October 20, 2003.

By: 
John R. Walker/Petitioner-*pro se*